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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

In Re:

JUAN J MARTES ORTIZ
MINERVA ALVIRA TORRES

Debtor(s)

Case No.: 02-06882 GAC

Chapter 13

TRUSTEE'S MOTION TO DISMISS

TO THE HONORABLE COURT:

NOW COMES José R. Carrión, Chapter 13 Trustee, through the undersigned attorney, and very respectfully alleges and prays:

1. There is *CAUSE* for this case dismissal as the Debtor(s) is (are) in material default with respect to the terms of the confirmed plan (or proposed plan). As of **March 21, 2003**, the default is equal to **\$2,350.00** or **5 month(s)**. [11 U.S.C. §1307(c)(6)]

2. There is *CAUSE* for this case dismissal as the above described default constitutes an unreasonable delay prejudicial to creditors. [11 U.S.C. §1307(c)(1)]

WHEREFORE the Trustee respectfully prays that this motion be granted and that an order dismissing this case be entered for *cause* pursuant to 11 U.S.C. §1307(c)(1) & (c)(6) for the reasons herein set forth.

30 DAYS NOTICE: In accordance with local *General Order No. 97-01*, the Debtor(s), all Creditors and Parties in Interest in this case, are hereby notified that unless an opposition to this motion to dismiss is submitted in writing within **30 days** from the date appearing in the certificate of service, *infra*, the Court may grant this motion, or convert the case to a Chapter 7, without a hearing.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certified that a copy of this motion has been served by regular US Mail on this **same date to:** the DEBTOR(s) and her/his/their attorney, to all Creditors and to all Parties in Interest, to their respective address of record as they appear in the attached Master Address List.

In San Juan, Puerto Rico this 26 day of March, 2003.

JOSE R. CARRION
CHAPTER 13 TRUSTEE
P.O. Box 9023884, Old San Juan Station,
San Juan, P.R. 00902-3884
Tel (787) 977-3535
FAX (787) 977-3550

By: 



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The undersigned hereby certifies that a true copy of the foregoing document was mailed by first class mail to the parties listed below:

JOSE R. CARRION PO BOX 9023884 OLD SAN JUAN STATION SAN JUAN, PR	00902	CELESTINO MATTA US POST OFFICE & COURTHOUSE 300 RECINTO SUR ST., SUITE 109 OLD SAN JUAN, PR	00901
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ANGEL M EGOZCUE PO BOX 366087 SAN JUAN PR	00936	DEPARTMENT OF TREASURY PO BOX 9024140 SAN JUAN PR	00902
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DEPARTMENT OF TREASURY PO BOX 9024140 SAN JUAN PR	00902	DEPARTMENT OF LABOR BUREAU OF EMPLOYMENT 505 MUNOZ RIVERA SAN JUAN PR	00918
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RQ CORPORATION C/O PROF RESEARCH & COMM SERV BANKRUPTCY DEPT PO BOX 195079 SAN JUAN PR	00919	R&G MORTGAGE CORPORATION ATT DIVISION LEGAL PO BOX 362394 SAN JUAN PR	00936
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HERIBERTO J VIZCARRONDO PO BOX 195389 SAN JUAN PR	00919	DEPARTAMENTO DE HACIENDA BOX 9024140 SAN JUAN PR	00902
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INTERNAL REVENUE SERVICE MERCANTIL PLAZA BLDG. RM. 914 PONCE DE LEON AVE. STOP 27 1/2 SAN JUAN, PUERTO RICO	00918	ASUME PO BOX 486 HUMACAO PR	00792
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POPULAR FINANCE PO BOX 336090 PONCE PR	00733	LCDA JANET VILLANUEVA SANCHEZ PO BOX 331751 PONCE PR	00733
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ASSOCIATES FINANCE-BANKRUPTCY PO BOX 1616 BAYAMON, PR	00960	US DEPARTMENT OF JUSTICE OFFICE OF THE TRUSTEE OCHOA BULD 3TH FLOOR SUITE 301 500 TANCA ST	00902
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BANCO SANTANDER DE PR PO BOX 362589 SAN JUAN PR	00936	EMPRESAS BERRIOS INC. PO BOX 674 CIDRA PR	00739
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JUAN J MARTES ORTIZ and MINERVA ALVIRA TORRES PO BOX 1783 DEIBA PR	00735		
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DATED: March 26, 2003

ARLENE COLLET

OFFICE OF THE CHAPTER 13 TRUSTEE